

in open
Court
12/2/96
Rg

Floyd Raymond, Looker, *Sui Juris*
c/o HC 63, Box 12-AA
Nettie [zip code exempt]
WEST VIRGINIA

In Propria Persona

Under Protest, Necessity, and
by Special Visitation Only

U.S. DISTRICT COURT
FILED AT WHEELING, WV

DEC -2 1996

NORTHERN DISTRICT OF WV
OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA, [sic])	Criminal No. <u>1:96-CR-41</u>
)	
Plaintiff, [sic])	VERIFIED STATEMENT
)	IN SUPPORT OF CHALLENGE TO
v.)	GRAND JURY SELECTION POLICY
)	AND ITS FEDERAL STATUTE:
FLOYD RAYMOND LOOKER, a/k/a RAY,)	28 U.S.C. 1746(1), 1861,
JACK ARLAND PHILLIPS, and)	1865; Rule 201(d),
EDWARD F. MOORE, a/k/a FRED [sic])	Federal Rules of Evidence;
)	Full Faith and Credit Clause
Defendants. [sic])	

COMES NOW Floyd Raymond, Looker, *Sui Juris*, Citizen of West Virginia state and Defendant in the above entitled matter (hereinafter "Defendant"), to record His Verified Statement in Support of Challenge to Grand Jury Selection Policy and its Federal Statute. **"We are no longer subjects of a government."** See "The Meaning of American Citizenship" by the Commissioner of Immigration and Naturalization *infra* and EXHIBIT "A" attached.

VERIFICATION

The Undersigned hereby verifies, under penalty of perjury, under the laws of the United States of America, without the "United States," that the following Statement is true and correct, to the best of My current information, knowledge, and belief, so help Me God, pursuant to 28 U.S.C. 1746(1):

Chapter 11:
Sovereignty

The issue of sovereignty as it relates to jurisdiction is a major key to understanding our system of government under the Constitution. In the most common sense of the word, "sovereignty" is autonomy, freedom from external control. The sovereignty of any government usually extends up to, but not beyond, the borders of its jurisdiction. This jurisdiction defines a specific territorial boundary which separates the "external" from the "internal", the "within" from the "without". It may also define a specific function, or set of functions, which a government may lawfully perform within a particular territorial boundary. Black's Law Dictionary, Sixth Edition, defines sovereignty to mean:

... [T]he international independence of a state, combined with the right and power of regulating its internal affairs without foreign dictation.

On a similar theme, Black's defines "sovereign states" to be those which are not under the control of any foreign power:

No foreign power or law can have control except by convention. This power of independent action in external and internal relations constitutes complete sovereignty.

It is a well established principle of law that the States are "foreign" with respect to each other, just as the federal zone is "foreign" with respect to each of them (In re Merriam's Estate, 36 NE 505 (1894)). The status of being foreign is the same as "belonging to" or being "attached to" another state or another jurisdiction. The proper legal distinction between the terms "foreign" and "domestic" is best seen in Black's definitions of foreign and domestic corporations, as follows:

Foreign corporation. A corporation doing business in one state though chartered or incorporated in another state is a foreign corporation as to the first state, and, as such, is required to consent to certain conditions and restrictions in order to do business in such first state.

Domestic corporation. When a corporation is organized and chartered in a particular state, it is considered a domestic corporation of that state.

The federal zone is an area over which Congress exercises exclusive legislative jurisdiction. It is the area over which the federal government exercises its sovereignty. Despite its obvious importance, the subject of federal jurisdiction had been almost entirely ignored outside the courts until the year 1954. In that year, a detailed study of federal jurisdiction was undertaken. The occasion for the study arose from a school playground, of all places. The children of federal employees residing on the grounds of a Veterans' Administration hospital

1 were not allowed to attend public schools in the town where the
 2 hospital was located. An administrative decision against the
 3 children was affirmed by local courts, and finally affirmed by
 4 the State supreme court. The residents of the area on which the
 5 hospital was located were not "residents" of the State, since
 6 "exclusive legislative jurisdiction" over this area had been
 7 ceded by the State to the federal government.
 8

9 A committee was assembled by Attorney General Herbert
 10 Brownell, Jr. Their detailed study was reported in a
 11 publication entitled Jurisdiction over Federal Areas within the
 12 States, April 1956 (Volume I) and June 1957 (Volume II). The
 13 committee's report demonstrates, beyond any doubt, that the
 14 sovereign States and their laws are outside the legislative and
 15 territorial jurisdiction of the United States** federal
 16 government. They are totally outside the federal zone. A
 17 plethora of evidence is found in the myriad of cited court cases
 18 (700+) which prove that the United States** cannot exercise
 19 exclusive legislative jurisdiction outside territories or places
 20 purchased from, or ceded by, the 50 States of the Union.
 21 Attorney General Brownell described the committee's report as an
 22 "exhaustive and analytical exposition of the law in this
 23 hitherto little explored field". In his letter of transmittal
 24 to President Dwight D. Eisenhower, Brownell summarized the two
 25 volumes as follows:
 26

27 Together, the two parts of this Committee's report and the
 28 **full implementation of its recommendations will provide a**
 29 **basis for reversing in many areas the swing of "the**
 30 **pendulum of power * * * from our states to the central**
 31 **government"** to which you referred in your address to the
 32 Conference of State Governors on June 25, 1957.
 33

34 [Jurisdiction over Federal Areas within the States]
 35 [Letter of Transmittal, page V, emphasis added]
 36

37 Once a State is admitted into the Union, its sovereign
 38 jurisdiction is firmly established over a predefined territory.
 39 The federal government is thereby prevented from acquiring
 40 legislative jurisdiction, by means of unilateral action, over
 41 any area within the exterior boundaries of this predefined
 42 territory. State assent is necessary to transfer jurisdiction
 43 to Congress.
 44

45
 46 **The Federal Government cannot, by unilateral action on its**
 47 **part, acquire legislative jurisdiction** over any area within
 48 the exterior boundaries of a State. Article 1, Section 8,
 49 Clause 17, of the Constitution, provides that legislative
 50 jurisdiction may be transferred pursuant to its terms only
 51 with the consent of the legislature of the State in which
 52 is located the area subject to the jurisdictional transfer.
 53

54 [Jurisdiction over Federal Areas within the States]
 55 [Volume II, page 46, emphasis added]
 56

Under Article 1, Section 8, Clause 17 of the Constitution, States of the Union have enacted statutes consenting to the federal acquisition of any land, or of specific tracts of land, within those States. Secondly, the federal government has also made "reservations" of jurisdiction over certain areas in connection with the admission of a State into the Union. A third means for transfer of legislative jurisdiction has also come into considerable use over time, namely, a general or special statute whereby a State makes a cession of specific functional jurisdiction to the federal government. Nevertheless, the Committee report explained that "... the characteristics of a legislative jurisdiction status are the same no matter by which of the three means the Federal Government acquired such status" [Volume II, page 3]. There is simply no federal legislative jurisdiction without consent by a State, cession by a State, or reservation by the federal government:

It scarcely needs to be said that **unless there has been a transfer of jurisdiction** (1) pursuant to clause 17 by a Federal acquisition of land with State consent, or (2) by cession from the State to the Federal Government, or unless the Federal Government has reserved jurisdiction upon the admission of the State, **the Federal Government possesses no legislative jurisdiction over any area within a State**, such jurisdiction being for exercise entirely by the State

[Jurisdiction over Federal Areas within the States]
[Volume II, page 45, emphasis added]

The areas which the 50 States have properly ceded to the federal government are called federal "enclaves":

By this means some thousands of areas have become Federal islands, sometimes called "enclaves," **in many respects foreign to the States in which they are situated**. In general, not State but Federal law is applicable in an area under the exclusive legislative jurisdiction of the United States**, for enforcement not by State but Federal authorities, and in many instances not in State but in Federal courts.

[Jurisdiction over Federal Areas within the States]
[Volume II, page 4, emphasis added]

These federal enclaves are considered foreign with respect to the States which surround them, just as the 50 States are considered foreign with respect to each other and to the federal zone: "...[T]he several states of the Union are to be considered as in this respect foreign to each other" Hanley v. Donoghue, 116 U.S. 1 (1885). Once a State surrenders its sovereignty over a specific area of land, it is powerless over that land; it is without authority; it cannot recapture any of its transferred jurisdiction by unilateral action, just as the federal government cannot acquire jurisdiction over State

1 area by *its* unilateral action. The State has transferred its
 2 sovereign authority to a *foreign* power:

3
 4 Once a State has, by one means or another, transferred
 5 jurisdiction to the United States**, **it is, of course,**
 6 **powerless** to control many of the consequences; without
 7 jurisdiction, **it is without the authority** to deal with many
 8 of the problems, and having transferred jurisdiction to the
 9 United States**, **it cannot unilaterally capture any of the**
 10 **transferred jurisdiction.**

11
 12 [Jurisdiction over Federal Areas within the States]
 13 [Volume II, page 7, emphasis added]
 14
 15

16 Once sovereignty has been relinquished, a State no longer
 17 has the authority to enforce criminal laws in areas under the
 18 exclusive jurisdiction of the United States**. Privately owned
 19 property in such areas is beyond the taxing authority of the
 20 State. Residents of such areas are not "residents" of the
 21 State, and hence are **not subject to the obligations** of residents
 22 of the State, and are **not entitled to any of the benefits** and
 23 privileges conferred by the State upon its residents. Residents
 24 of federal enclaves usually cannot vote, serve on juries, or run
 25 for office. They do not, as matter of right, have access to
 26 State schools, hospitals, mental institutions, or similar
 27 establishments.
 28

29 The acquisition of exclusive jurisdiction by the Federal
 30 Government renders unavailable to the residents of the affected
 31 areas the benefits of the laws and judicial and administrative
 32 processes of the State relating to adoption, the probate of
 33 wills and administration of estates, divorce, and many other
 34 matters. Police, fire-fighting, notaries, coroners, and similar
 35 services performed by, or under, the authority of a State may
 36 result in legal sanction within a federal enclave. The "old"
 37 State laws which apply are only those which are consistent with
 38 the laws of the "new" sovereign authority, using the following
 39 principle from international law:
 40

41 The vacuum which would exist because of the absence of
 42 State law or Federal legislation with respect to civil
 43 matters in areas under Federal exclusive legislative
 44 jurisdiction has been partially filled by the courts,
 45 through extension to these areas of a rule of international
 46 law that[,]
 47 **when one sovereign takes over territory of**
 48 **another[,]** the laws of the original sovereign in effect at
 49 **the time of the taking[,]** which are not inconsistent with
 50 **the laws or policies of the second[,]** continue in effect,
 51 **as laws of the succeeding sovereign, until changed by that**
 52 **sovereign.**

53 [Jurisdiction over Federal Areas within the States]
 54 [Volume II, page 6, commas added for clarity]
 55 [emphasis added]
 56
 57

1 It is clear, then, that only one "state" can be sovereign
 2 at any given moment in time, whether that "state" be one of the
 3 50 Union States, or the federal government of the United
 4 States**. Before ceding a tract of land to Congress, a State of
 5 the Union exercises its sovereign authority over any land within
 6 its borders:

7
 8 Save only as they are subject to the prohibitions of the
 9 Constitution, or as their action in some measure conflicts
 10 with the powers delegated to the national government or
 11 with congressional legislation enacted in the exercise of
 12 those powers, **the governments of the states are sovereign**
 13 **within their territorial limits and have exclusive**
 14 **jurisdiction over persons and property located therein.**

15
 16 [72 American Jurisprudence 2d, Section 4]
 17 [emphasis added]
 18

19 After a State has ceded a tract of land to Congress, the
 20 situation is completely different. The United States**, as the
 21 "succeeding sovereign", then exercises *its* sovereign authority
 22 over that land. In this sense, sovereignty is indivisible, even
 23 though the Committee's report documented numerous situations in
 24 which jurisdiction was actually *shared* between the federal
 25 government and one of the 50 States. Even in this situation,
 26 however, sovereignty rests either in the State, or in the
 27 federal government, but never both. **Sovereignty is the**
 28 **authority to which there is politically no superior.** Outside
 29 the federal zone, the States of the Union remain sovereign, and
 30 their laws are completely outside the exclusive legislative
 31 jurisdiction of the federal government of the United States**.

32
 33 This understanding of the separate sovereignties possessed
 34 by each of the State and federal governments was not only valid
 35 during the Eisenhower administration; it has been endorsed by
 36 the U.S. Supreme Court as recently as 1985. In that year, the
 37 high Court examined the "dual sovereignty doctrine" when it
 38 ruled that successive prosecutions by two States for the same
 39 conduct were not barred by the Double Jeopardy Clause of the
 40 Fifth Amendment. The "crucial determination" turned on whether
 41 State and federal powers derive from separate and independent
 42 sources. The Supreme Court explained that the doctrine of dual
 43 sovereignty has been uniformly upheld by the courts:

44
 45
 46 **It has been uniformly held that the States are separate**
 47 **sovereigns with respect to the Federal Government** because
 48 each State's power to prosecute derives from its inherent
 49 sovereignty, preserved to it by the Tenth Amendment, and
 50 not from the Federal Government. Given the distinct
 51 sources of their powers to try a defendant, **the States are**
 52 **no less sovereign with respect to each other than they are**
 53 **with respect to the Federal Government.**

54
 55 [Heath v. Alabama, 474 U.S. 82, 89-90 (1985)]
 56
 57

Now, if a State of the Union is sovereign, is it correct to say that the State exercises an authority to which there is absolutely no superior? No, this is not a correct statement. There is no other *organized* body which is superior to the *organized* body which retains sovereignty. The sovereignty of governments is an authority to which there is no *organized* superior, but there is *absolutely* a superior body, and that superior body is the People of the United States*** of America:

The words "people of the United States" and "citizens" are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. **They are what we familiarly call the "sovereign people," and every citizen is one of this people, and a constituent member of this sovereignty.**

[Dred Scott v. Sandford, 19 How. 393 (1856), emphasis added]

The source of all sovereignty in a constitutional Republic like the 50 States, united by and under the Constitution for the United States of America, is the People themselves. Remember, the States, and the federal government acting inside those States, are both bound by the terms of a contract known as the U.S. Constitution. That Constitution is a contract of delegated powers which ultimately originate in the sovereignty of the Creator, who endowed creation, individual People like you and me, with sovereignty in that Creator's image and likeness. Nothing stands between us and the Creator. I think it is fair to say that the Supreme Court of the United States was never more eloquent when it described the source of sovereignty as follows:

Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while **sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power.** It is indeed, quite true, that there must always be lodged somewhere, and in some person or body, the authority of final decision; and in many cases of mere administration the responsibility is purely political, no appeal except to the ultimate tribunal of the public judgement, exercised either in the pressure of opinion or by means of the suffrage. But **the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws,** so that, in the famous language of the Massachusetts Bill of Rights, the government of the commonwealth "may be a government of laws and not of men." For, the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the

1 enjoyment of life, at the mere will of another, seems to be
 2 intolerable in any country where freedom prevails, as being
 3 the essence of slavery itself.

4
 5 [Yick Wo v. Hopkins, 118 U.S. 356, 370 (1886)]
 6 [emphasis added]
 7
 8

9 More recently, the Supreme Court reiterated the fundamental
 10 importance of US the People as the source of sovereignty, and
 11 the subordinate status which Congress occupies in relation to
 12 the sovereignty of the People. The following language is terse
 13 and right on point:
 14

15 In the United States***, **sovereignty resides in the people**
 16 **who act through the organs established by the Constitution.**
 17 [cites omitted] The Congress as the instrumentality of
 18 sovereignty is endowed with certain powers to be exerted on
 19 behalf of the people in the manner and with the effect the
 20 Constitution ordains. **The Congress cannot invoke the**
 21 **sovereign power of the people to override their will as**
 22 **thus declared.**
 23

24 [Perry v. United States, 294 U.S. 330, 353 (1935)]
 25 [emphasis added]
 26

27 No discussion of sovereignty would be complete, therefore,
 28 without considering the sovereignty that resides in US, the
 29 People. The Supreme Court has often identified the People as
 30 the source of sovereignty in our republican form of government.
 31 Indeed, the federal Constitution **guarantees** to every State in
 32 the Union a "Republican Form" of government, in so many words:
 33

34 *Section 4. The United States shall guarantee* to every
 35 *State in this Union a Republican Form of Government,* and
 36 *shall protect each of them against Invasion;*
 37

38 [United States Constitution, Article 4, Section 4]
 39 [emphasis added]
 40
 41

42 What exactly is a "Republican Form" of government? It is one in
 43 which the powers of sovereignty are vested in the People and
 44 exercised by the People. Black's Law Dictionary, Sixth Edition,
 45 makes this very clear in its various definitions of
 46 "government":
 47
 48

49 *Republican government.* One in which the **powers of**
 50 **sovereignty are vested in the people and are exercised by**
 51 **the people**, either directly, or through representatives
 52 chosen by the people, to whom those powers are specially
 53 delegated. In re Duncan, 139 U.S. 449, 11 S.Ct. 573, 35
 54 L.Ed. 219; Minor v. Happersett, 88 U.S. (21 Wall.) 162, 22
 55 L.Ed. 627.
 56
 57

The Supreme Court has clearly distinguished between the operation of governments in Europe, and government in these United States*** of America, as follows:

In Europe, the executive is almost synonymous with the sovereign power of a State; and generally includes legislative and judicial authority. ... **Such is the condition of power in that quarter of the world, where it is too commonly acquired by force or fraud, or both, and seldom by compact. In America, however, the case is widely different. Our government is founded upon compact. Sovereignty was, and is, in the people.**

[Glass v. The Sloop Betsey, 3 Dall 6 (1794)]
[emphasis added]

The federal Constitution makes a careful distinction between natural born Citizens and citizens of the United States** (compare 2:1:5 with Section 1 of the so-called 14th Amendment). One is an unconditional Sovereign by natural birth, who is **endowed by the Creator** with certain unalienable rights; the other has been granted the revocable privileges of U.S.** citizenship, endowed by the Congress of the United States**. One is a Citizen, the other is a subject. One is a Sovereign, the other is a subordinate. One is a Citizen of our constitutional Republic; the other is a citizen of a legislative democracy (the federal zone). Notice the superior/subordinate relationship between these two statuses. I am forever indebted to M. J. "Red" Beckman, co-author of The Law That Never Was with Bill Benson, for clearly illustrating the important difference between the two. Red Beckman has delivered many eloquent lectures based on the profound simplicity of the following table:

Chain of command and authority in a:

Majority Rule Democracy	Constitutional Republic
X	Creator
Majority	Individual
Government	Constitution
Public Servants	Government
Case & Statute Law	Public Servants
Corporations	Statute Law
individual	Corporations

In this illustration, a democracy ruled by the majority places the individual at the bottom, and an unknown elite, Mr. "X" at the top. The majority (or mob) elects a government to hire public "servants" who write laws primarily for the benefit of corporations. These corporations are either owned or controlled by Mr. X, a clique of the ultra-wealthy who seek to restore a two-class "feudal" society. They exercise their vast economic power so as to turn all of America into a "feudal zone". The rights of individuals occupy the lowest priority in

1 this chain of command. Those rights often vanish over time,
 2 because democracies eventually self-destruct. The enforcement
 3 of laws within this scheme is the job of administrative
 4 tribunals, who specialize in holding individuals *to the letter*
 5 of all rules and regulations of the corporate state, no matter
 6 how arbitrary and with little if any regard for fundamental
 7 human rights:

8
 9
 10 **A democracy that recognizes only manmade laws perforce**
 11 **obliterates the concept of Liberty as a divine right.**

12
 13 [A Ticket to Liberty, November 1990 edition, page 146]
 14 [emphasis added]
 15

16
 17 In the constitutional Republic, however, the rights of
 18 individuals are supreme. Individuals delegate their sovereignty
 19 to a written contract, called a constitution, which empowers
 20 government to hire public servants to write laws primarily for
 21 the benefit of individuals. The corporations occupy the lowest
 22 priority in this chain of command, since their primary
 23 objectives are to maximize the enjoyment of individual rights,
 24 and to facilitate the fulfillment of individual
 25 responsibilities. The enforcement of laws within this scheme is
 26 the responsibility of sovereign individuals, who exercise their
 27 power in three arenas: the voting booth, the trial jury, and
 28 the grand jury. Without a jury verdict of "guilty", for
 29 example, no law can be enforced and no penalty exacted. The
 30 behavior of public servants is tightly restrained by *contractual*
 31 terms, as found in the written Constitution. Statutes and case
 32 law are created primarily to limit and define the scope and
 33 extent of public servant power.

34
 35 Sovereign individuals are *subject only* to a Common Law,
 36 whose primary purposes are to protect and defend individual
 37 rights, and to prevent anyone, whether public official or
 38 private person, from violating the rights of other individuals.
 39 Within this scheme, **Sovereigns are never subject to their own**
 40 **creations**, and the constitutional contract is such a creation.
 41 To quote the Supreme Court, "No fiction can make a natural born
 42 subject." Milvaine v. Coxe's Lessee, 8 U.S. 598 (1808). That
 43 is to say, no fiction, be it a corporation, a statute law, or an
 44 administrative regulation, can mutate a natural born Sovereign
 45 into someone who is subject to his own creations. Author and
 46 scholar Lori Jacques has put it succinctly as follows:

47
 48 As each state is sovereign and not a territory of the
 49 United States**, the meaning is clear that state citizens
 50 are not subject to the legislative jurisdiction of the
 51 United States**. Furthermore, **there is not the slightest**
 52 **intimation in the Constitution which created the "United**
 53 **States" as a political entity that the "United States" is**
 54 **sovereign over its creators.**

55
 56 [A Ticket to Liberty, November 1990 edition, page 32]
 57 [emphasis added]

Accordingly, if you choose to investigate the matter, you will find a very large body of legal literature which cites another fiction, the so-called 14th Amendment, from which the federal government presumes to derive general authority to treat everyone in America as subjects and not as Sovereigns:

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States** and of the State wherein they reside.**

[United States Constitution, Fourteenth Amendment [sic]]
[emphasis added]

A careful reading of this amendment reveals an important subtlety which is lost on many people who read it for the first time. The citizens it defines are *second class* citizens because the "c" is lower-case, even in the case of the State citizens it defines. Note how the amendment defines "citizens of the United States**" and "citizens of the State wherein they reside"! It is just uncanny how the wording of this amendment closely parallels the Code of Federal Regulations (CFR) which promulgates Section 1 of the Internal Revenue Code (IRC). Can it be that this amendment had something to do with subjugation, by way of taxes and other means? Yes, it most certainly did. Section 1 of the IRC is the section which imposes income taxes. The corresponding section of the CFR defines who is a "citizen" as follows:

Every person **born or naturalized in the United States** and subject to its jurisdiction** is a citizen.

[26 CFR 1.1-1(c), emphasis added]

Notice the use of the term "its jurisdiction". This leaves no doubt that the "United States**" **is** a singular entity in this context. In other words, **it** is the federal zone. Do we dare to speculate why the so-called 14th Amendment was written instead with the phrase "subject to the jurisdiction **thereof**"? Is this another case of deliberate ambiguity? You be the judge.

Not only did this so-called "amendment" fail to specify which meaning of the term "United States" was being used; like the 16th Amendment, it also failed to be ratified, this time by 15 of the 37 States which existed in 1868. The House Congressional Record for June 13, 1967, contains all the documentation you need to prove that the so-called 14th Amendment was never ratified into law (see page 15641 *et seq.*). For example, it itemizes all States which voted against the proposed amendment, and the precise dates when their Legislatures did so. "I cannot believe that any court, in full possession of its faculties, could honestly hold that the amendment was properly approved and adopted." State v. Phillips, 540 P.2d. 936, 941 (1975). The Utah Supreme Court has detailed

1 the shocking and sordid history of the 14th Amendment's
 2 "adoption" in the case of Dyett v. Turner, 20 Utah 2d 403, 439
 3 P.2d 266, 270 (1968).

4
 5 A great deal of written material on the 14th Amendment has
 6 been assembled into computer files by Richard McDonald, whose
 7 mailing address is 585-D Box Canyon Road, Canoga Park,
 8 California Republic (not "CA"). He requests that ZIP codes **not**
 9 be used on his incoming mail (use "ZIP code exempt (DMM 122.32)"
 10 instead). Richard McDonald has done a mountain of legal
 11 research and writing on the origins and effects of the so-called
 12 14th Amendment. He documents how key court decisions like the
 13 Slaughter House Cases, among many others, all found that there
 14 is a clear distinction between a Citizen of a State and a
 15 citizen of the United States**. A State Citizen is a
 16 Sovereign, whereas a citizen of the United States** is a subject
 17 of Congress. The exercise of federal citizenship is a **statutory**
 18 **privilege** which can be taxed with excises. The exercise of
 19 State Citizenship is a **Common Law Right** which simply cannot be
 20 taxed because governments cannot tax the exercise of a right,
 21 ever.

22
 23 The case of U.S. v. Cruikshank is famous, not only for
 24 confirming this distinction between State Citizens and U.S.**
 25 citizens, but also for establishing a key precedent in the area
 26 of due process. This precedent underlies the "void for
 27 vagueness" doctrine which can and should be applied to nullify
 28 the IRC. On the issue of citizenship, the Cruikshank court
 29 ruled as follows:

30
 31 **We have in our political system a government of the United**
 32 **States** and a government of each of the several States.**
 33 Each one of these governments is distinct from the others,
 34 and **each has citizens of its own** who owe it allegiance, and
 35 whose rights, within its jurisdiction, it must protect.
 36 The same person may be at the same time a citizen of the
 37 United States** and a citizen of a State, but his rights of
 38 citizenship under one of these governments will be
 39 different from those he has under the other. *Slaughter-*
 40 *House Cases*

41
 42 [United States v. Cruikshank, 92 U.S. 542 (1875)]
 43 [emphasis added]
 44

45 The leading authorities for this pivotal distinction are,
 46 indeed, a series of U.S. Supreme Court decisions known as the
 47 Slaughter House Cases, which examined the so-called 14th
 48 Amendment in depth. An exemplary paragraph from these cases is
 49 the following:

50
 51 It is quite clear, then, that **there is a citizenship of the**
 52 **United States** and a citizenship of a State**, which are
 53 distinct from each other and which depend upon different
 54 characteristics or circumstances in the individual.

55
 56 [Slaughter House Cases, 83 U.S. 36, 16 Wall. 36]
 57 [21 L.Ed. 394 (1873), emphasis added]

1 A similar authority is found in the case of K. Tashiro v.
 2 Jordan, decided by the Supreme Court of the State of California
 3 almost fifty years later. Notice, in particular, how the
 4 California Supreme Court again cites the Slaughter House Cases:

5
 6 **That there is a citizenship of the United States** and a**
 7 **citizenship of a state**, and the privileges and immunities
 8 of one are not the same as the other **is well established by**
 9 **the decisions of the courts of this country.** The leading
 10 cases upon the subjects are those decided by the Supreme
 11 Court of the United States and reported in 16 Wall. 36, 21
 12 L. Ed. 394, and known as the Slaughter House Cases.

13
 14 [K. Tashiro v. Jordan, 256 P. 545, 549 (1927)]
 15 [affirmed 278 U.S. 123 (1928)]
 16 [emphasis added]
 17

18 The Slaughter House Cases are quite important to the issue
 19 of citizenship, but the pivotal case on the subject is the
 20 famous Dred Scott decision, decided in 1856, prior to the Civil
 21 War. In this case, the U.S. Supreme Court wrote one of the
 22 longest decisions in the entire history of American
 23 jurisprudence. In arriving at their understanding of the
 24 precise meaning of Citizenship, as understood by the Framers of
 25 the Constitution, the high Court left no stone unturned in their
 26 search for relevant law:

27
 28 We have the language of the Declaration of Independence and
 29 of the Articles of Confederation, in addition to the plain
 30 words of the Constitution itself: we have the legislation
 31 of the different States, before, about the time, and since
 32 the Constitution was adopted; we have the legislation of
 33 Congress, from the time of its adoption to a recent period;
 34 and we have the constant and uniform action of the
 35 Executive Department, all concurring together, and leading
 36 to the same result. And **if anything in relation to the**
 37 **construction of the Constitution can be regarded as**
 38 **settled, it is that which we now give to the word "citizen"**
 39 **and the word "people."**

40
 41 [Dred Scott v. Sandford, 19 How. 393 (1856)]
 42 [emphasis added]
 43

44 In the fundamental law, the notion of a "citizen of the
 45 United States" simply did not exist before the 14th Amendment;
 46 at best, this notion is a fiction within a fiction. In
 47 discussing the power of the States to naturalize, the California
 48 State Supreme Court put it rather bluntly when it ruled that
 49 there was no such thing as a "citizen of the United States":

50
 51 A citizen of any one of the States of the union, is held to
 52 be, and called a **citizen of the United States**, although
 53 **technically and abstractly there is no such thing.** To
 54 conceive a citizen of the United States who is not a
 55 citizen of some one of the States, is totally foreign to
 56 the idea, and inconsistent with the proper construction and
 57 common understanding of the expression as used in the

1 Constitution, which must be deduced from its various other
 2 provisions. **The object then to be attained, by the**
 3 **exercise of the power of naturalization, was to make**
 4 **citizens of the respective States.**

6 [Ex Parte Knowles, 5 Cal. 300 (1855)]
 7 [emphasis added]
 8

9 This decision has never been overturned!

10
 11 What is the *proper construction* and *common understanding* of
 12 the term "Citizen of the United States" as used in the original
 13 Constitution, before the so-called 14th Amendment? This is an
 14 important question, because this status is *still* a qualification
 15 for the offices of Senator, Representative and President. No
 16 Person can be a Representative unless he has been a Citizen of
 17 the United States for seven years (1:2:2); no Person can be a
 18 Senator unless he has been a Citizen of the United States for
 19 nine years (1:3:3); no Person can be President unless he is a
 20 natural born Citizen, or a Citizen of the United States (2:1:5).
 21 If these requirements had been literally obeyed, there could
 22 have been no elections for Representatives to Congress for at
 23 least seven years after the adoption of the Constitution, and no
 24 one would have been eligible as a Senator for nine years after
 25 its adoption. Author John S. Wise, in a rare book now available
 26 on Richard McDonald's electronic bulletin board system (BBS),
 27 explains away the problem very simply as follows:

28
 29 The language employed by the convention was less careful
 30 than that which had been used by Congress in July of the
 31 same year, in framing the ordinance for the government of
 32 the Northwest Territory. **Congress had made the**
 33 **qualification rest upon citizenship of "one of the United**
 34 **States***," and this is doubtless the intent of the**
 35 **convention which framed the Constitution, for it cannot**
 36 **have meant anything else.**

37
 38 [Studies in Constitutional Law:
 39 [A Treatise on American Citizenship]
 40 [by John S. Wise, Edward Thompson Co. (1906)]
 41 [emphasis added]
 42

43 This quote from the Northwest Ordinance is faithful to the
 44 letter and to the spirit of that law. In describing the
 45 eligibility for "representatives" to serve in the general
 46 assembly for the Northwest Territory, the critical passage from
 47 that Ordinance reads as follows:

48
 49 ... Provided, That no person be eligible or qualified to
 50 act as a representative, unless he shall have been **a**
 51 **citizen of one of the United States***** three years, and be
 52 a resident in the district, or unless he shall have resided
 53 in the district three years;

54
 55 [Northwest Ordinance, Section 9, July 13, 1787]
 56 [The Confederate Congress, emphasis added]
 57

Without citing the case as such, the words of author John S. Wise sound a close, if not identical parallel to the argument for the Respondent filed in the case of People v. De La Guerra, decided by the California Supreme Court in 1870. The following long passage elaborates the true meaning of the Constitutional qualifications for President and Representative:

As it was the adoption of the Constitution by the Conventions of nine States that established and created the United States***, it is obvious **there could not then have existed any person who had been seven years a citizen of the United States***, or who possessed the Presidential qualifications of being thirty-five years of age, a natural born citizen, and fourteen years a resident of the United States***. The United States*** in these provisions, means the States united.** To be twenty-five years of age, and for seven years to have been a **citizen of one of the States** which ratifies the Constitution, is the qualification of a representative. To be a natural born **citizen of one of the States** which shall ratify the Constitution, or to be a **citizen of one of said States** at the time of such ratification, and to have attained the age of thirty-five years, and to have been fourteen years **a resident within one of the said States**, are the Presidential qualifications, according to the true meaning of the Constitution.

[People v. De La Guerra, 40 Cal. 311, 337 (1870)]
[emphasis added]

Indeed, this was the same exact understanding that was reached by the U.S. Supreme Court in the Dred Scott decision. There, the high Court clearly reinforced the sovereign status of Citizens of the several States. The sovereigns are the *Union State Citizens*, i.e. the Citizens of the States United:

It is true, every person, and every class and description of persons, who were at the time of the adoption of the Constitution recognized as **citizens in the several States**, became also citizens of this new political body; but none other; it was formed by them, and for them and their posterity, but for no one else. And **the personal rights and privileges guarantied [sic] to citizens of this new sovereignty were intended to embrace those only who were then members of the several state communities, or who should afterwards, by birthright or otherwise, become members**, according to the provisions of the Constitution and the principles on which it was founded.

[Dred Scott v. Sandford, 19 How. 393, 404 (1856)]
[emphasis added]

Thus, the phrase "Citizen of the United States" as found in the original Constitution is synonymous with the phrase "Citizen

of one of the United States***", i.e., a Union State Citizen. This simple explanation will help to cut through the mountain of propaganda and deception which have been foisted on all Americans by government bureaucrats and their high-paid lawyers. With this understanding firmly in place, it is very revealing to discover that many reprints of the Constitution now utilize a lower-case "c" in the sections which describe the qualifications for the offices of Senator, Representative and President. This is definitely wrong, and it is probably deliberate, so as to confuse everyone into equating Citizens of the United States with citizens of the United States, courtesy of the so-called 14th Amendment. **There is a very big difference between the two statuses, not the least of which is the big difference in their respective liabilities for the income tax.**

Moreover, it is quite clear that one may be a State Citizen without also being a "citizen of the United States", whether or not the 14th Amendment was properly ratified! According to the Louisiana Supreme Court, the highest exercise of a State's sovereignty is the right to declare who are its own Citizens:

A person who is a citizen of the United States** is necessarily a citizen of the particular state in which he resides. **But a person may be a citizen of a particular state and not a citizen of the United States**.** To hold otherwise would be to deny to the state the highest exercise of its sovereignty, -- the right to declare who are its citizens.

[State v. Fowler, 41 La. Ann. 380]
[6 S. 602 (1889), emphasis added]

In a book to which this writer has returned time and time again, author Alan Stang faithfully recites some of the other relevant court authorities, all of which ultimately trace back to the Slaughter House Cases and the Dred Scott decision:

Indeed, just as one may be a "citizen of the United States" and not a citizen of a State; so one apparently may be a citizen of a State but not of the United States. On July 21, 1966, the Court of Appeal of Maryland ruled in *Crosse v. Board of Supervisors of Elections*, 221 A.2d 431; a headnote in which tells us: **"Both before and after the Fourteenth Amendment to the federal Constitution, it has not been necessary for a person to be a citizen of the United States in order to be a citizen of his state"** At page 434, Judge Oppenheimer cites a Wisconsin ruling in which the court said this: "Under our complex system of government, **there may be a citizen of a state, who is not a citizen of the United States in the full sense of the term**"

[Tax Scam, 1988 edition, pages 138-139]
[emphasis added]

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1 fully and forcibly declared by the chief justice,
 2 delivering the opinion of the court in *National Bank v.*
 3 *County of Yankton*, 101 U.S. 129.

4
 5 [Murphy v. Ramsey, 114 U.S. 15 (1885)]
 6 [italics in original, emphasis added]
 7

8 The political rights of the federal zone's citizens are
 9 "franchises" which they hold as "privileges" at the discretion
 10 of the Congress of the United States**. Indeed, the doctrine
 11 declared earlier in the National Bank case leaves no doubt that
 12 Congress is the municipal authority for the territories:
 13

14 All territory within the jurisdiction of the United States*
 15 not included in any State must, necessarily, be governed by
 16 or under the authority of Congress. **The Territories are**
 17 **but political subdivisions of the outlying dominion of the**
 18 **United States**.** They bear much the same relation to the
 19 General Government that counties do to the States, and
 20 Congress may legislate for them as States do for their
 21 **respective municipal organizations.** The organic law of a
 22 Territory takes the place of a constitution, as the
 23 fundamental law of the local government. It is obligatory
 24 on and binds the territorial authorities; but Congress is
 25 supreme and, for the purposes of this department of its
 26 governmental authority, has all the powers of the People of
 27 the United States***, except such as have been expressly or
 28 by implication reserved in the prohibitions of the
 29 Constitution.
 30

31 [First National Bank v. Yankton, 101 U.S. 129 (1880)]
 32 [emphasis added]
 33

34 This knowledge can be extremely valuable. In one of the
 35 brilliant text files on his electronic bulletin board system
 36 (BBS), Richard McDonald utilized his voluminous research into
 37 the so-called 14th Amendment and related constitutional law when
 38 he made the following pleading in opposition to a traffic
 39 citation, of all things, in Los Angeles county municipal court:
 40

41
 42 17. The Accused Common-Law Citizen [Defendant] hereby
 43 places all parties and the court on NOTICE, that he is not
 44 a "citizen of the United States**" under the so-called 14th
 45 Amendment, **a juristic person or a franchised person who can**
 46 **be compelled to perform to the regulatory Vehicle Codes**
 47 **which are civil in nature**, and challenges the *In Personam*
 48 jurisdiction of the Court with this contrary conclusion of
 49 law. This Court is now mandated to seat on the law side of
 50 its capacity to hear evidence of the status of the Accused
 51 Citizen.
 52

53 [see MEMOLAW.ZIP on Richard McDonald's electronic BBS]
 54 [see also FMEMOLAW.ZIP and Appendix Y, emphasis added]
 55
 56

new car or truck. The implications and ramifications of driving around without a license, and/or without registration, are far beyond the scope of this book. Suffice it to say that effective methods have already been developed to deal with law enforcement officers and courts, if and when you are pulled over and cited for traveling without a license or tags. Richard McDonald is second to none when it comes to preparing a successful defense to the civil charges that might result. A Sovereign is someone who enjoys fundamental, Common Law rights, and owning property free and clear is one of those fundamental rights.

If you have a DOS-compatible personal computer and a 2400-baud modem, Richard McDonald can provide you with instructions for accessing his electronic bulletin board system (BBS). There is a mountain of information, and some of his computer files were rather large when he began his BBS. Users were complaining of long transmission times to "download" text files over phone lines from his BBS to their own personal computers. So, McDonald used a fancy text "compression" program on all the text files available on his BBS. As a consequence, BBS users must first download a DOS program which "decompresses" the compressed files. Once this program is running on your personal computer, you are then free to download all other text files and to decompress them at your end. For example, the compressed file "14AMREC.ZIP" contains the documentation which proves that the so-called 14th Amendment was never ratified. If you have any problems or questions, Richard McDonald is a very patient and generous man. And please tell him where you read about him and his computer bulletin board (voice: 818-703-5037, BBS: 818-888-9882).

As you peruse through McDonald's numerous court briefs and other documents, you will encounter many gems to be remembered and shared with your family, friends and associates. His work has confirmed an attribute of sovereignty that is of paramount importance. **Sovereignty is never diminished in delegation.** Thus, as sovereign individuals, we do not diminish our sovereignty in any way by delegating our powers to State governments, to perform services which are difficult, if not impossible for us to perform as individuals. Similarly, States do not diminish their sovereignty by delegating powers to the federal government, via the Constitution. As McDonald puts it, powers delegated do not equate to powers surrendered:

17. Under the Constitutions, "... we the People" did not surrender our individual sovereignty to either the State or Federal Government. **Powers "delegated" do not equate to powers surrendered.** This is a Republic, not a democracy, and the majority cannot impose its will upon the minority because the "LAW" is already set forth. Any individual can do anything he or she wishes to do so long as it does not damage, injure, or impair the same Right of another individual. This is where the concept of a *corpus delicti* comes from to prove a "crime" or a civil damage.

[see MEMOLAW.ZIP on Richard McDonald's electronic BBS]
[see also FMEMOLAW.ZIP and Appendix Y, emphasis added]

1 Indeed, to be a Citizen of the United States*** of America
 2 is to be one of the Sovereign People, "**a constituent member of**
 3 **the sovereignty, synonymous with the people**" [see 19 How. 404].
 4 According to the 1870 edition of Bouvier's Law Dictionary, the
 5 People are the *fountain* of sovereignty. It is extremely
 6 revealing that there is no definition of "United States" *as such*
 7 in this dictionary. However, there *is* an important discussion
 8 of the "United States of America", where the delegation of
 9 sovereignty clearly originates in the People and nowhere else:

10
 11 The great men who formed it did not undertake to solve a
 12 question that in its own nature is insoluble. Between
 13 equals it made neither superior, but trusted to the mutual
 14 forbearance of both parties. A larger confidence was
 15 placed in an enlightened public opinion as the final
 16 umpire. **The people parcelled out the rights of sovereignty**
 17 **between the states and the United States****, and they have a
 18 **natural right to determine what was given to one party and**
 19 **what to the other.** ... It is a maxim consecrated in public
 20 law as well as common sense and the necessity of the case,
 21 that **a sovereign is answerable for his acts only to his God**
 22 **and to his own conscience.**

23
 24 [Bouvier's Law Dictionary, 14th Edition, 1870]
 25 [defining "United States of America"]
 26 [emphasis added]
 27

28 We don't need to reach far back into another century to
 29 find proof that the People are sovereign. In a Department of
 30 Justice manual revised in the 1990 (Document No. M-230), the
 31 meaning of American Citizenship was described with these
 32 eloquent and moving words by the Commissioner of Immigration and
 33 Naturalization: "You are no longer a subject of a government!"
 34
 35

36 The Meaning of American Citizenship
 37 Commissioner of Immigration and Naturalization
 38

39 Today you have become a citizen of the United States
 40 of America. You are no longer an Englishman, a Frenchman,
 41 an Italian, a Pole. Neither are you a hyphenated-American
 42 -- a Polish-American, an Italian-American. **You are no**
 43 **longer a subject of a government.** Henceforth, you are an
 44 **integral part of this Government -- a free man -- a Citizen**
 45 **of the United States of America.**
 46

47 This citizenship, which has been solemnly conferred on
 48 you, is a thing of the spirit -- not of the flesh. When
 49 you took the oath of allegiance to the Constitution of the
 50 United States, **you claimed for yourself the God-given**
 51 **unalienable rights which that sacred document sets forth as**
 52 **the natural right of all men.**
 53

54 You have made sacrifices to reach this desired goal.
 55 We, your fellow citizens, realize this, and the warmth of
 56 our welcome to you is increased proportionately. However,
 57 we would tincture it with friendly caution.

1 As you have learned during these years of preparation,
2 **this great honor carries with it the duty to work for and**
3 **make secure this longed-for and eagerly-sought status.**
4 Government under our Constitution makes American
5 citizenship the highest privilege and at the same time the
6 greatest responsibility of any citizenship in the world.
7

8 The important rights that are now yours and the duties
9 and responsibilities attendant thereon are set forth
10 elsewhere in this manual. It is hoped that they will serve
11 as a constant reminder that **only by continuing to study and**
12 **learn about your new country, its ideals, achievements, and**
13 **goals, and by everlastingly working at your citizenship can**
14 **you enjoy its fruits and assure their preservation for**
15 **generations to follow.**
16

17 May you find in this Nation the fulfillment of your
18 dreams of peace and security, and may America, in turn,
19 never find you wanting in your new and proud role of
20 Citizen of the United States.
21

22 [Basic Guide to Naturalization and Citizenship]
23 [Immigration and Naturalization Service]
24 [U.S. Department of Justice]
25 [page 265, emphasis added]

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27 Executed on X 12-2-96
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31 X Floyd R. Looker Jr
32
33 Floyd Raymond, Looker, Sui Juris
34 Citizen of West Virginia state
35
36

37 Executed on: November 29, 1996
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40 Paul Mitchell
41
42 Paul Andrew, Mitchell, B.A., M.S.
43 Citizen of Arizona state, federal witness,
44 Counselor at Law, and Counsel of Record in Fact
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EXHIBIT "A":

"The Day Our Country Was Stolen:"

"How the 14th Amendment" [sic]

"Enslaved Us All"

"Without a Shot Fired"

The Day Our Country Was Stolen:

How the 14th Amendment [sic]
Enslaved Us All
Without a Shot Fired

by

L. C. Lyon

Most Americans would agree that we, as a people, are treated by our public servants -- the judges, politicians, law enforcement and bureaucrats who are paid their salaries by our taxes -- as if we were in complete bondage to them. When we joke about being slaves to the Government, we don't realize that we are exactly correct, joke or not. In fact, all those 99% of Americans who call themselves "U.S. citizens" are actually subjects of the corporate United States Government -- not the sovereign states of the Union. The moment you uttered your first cry on American soil, you became the chattel property of the corporation known as the United States of America which, because of the federal debt, handed title (Birth Certificate) to your body and soul to the Federal Reserve Bank, to be held in the archives of the Department of Health and Human Services.

As incredible as this sounds, it is sadly true. The next question is: How did I automatically become subject to a government, when I'm supposedly a free American? How did this all come about, that I should be made to register myself, my family, and all that I own; be made to obey oppressive laws; and forfeit almost half of my earnings upon threat of jail? Only those who are "subject" to a government can be made to do these things. Free American Inhabitants are subject to no one but God, and all the laws and responsibilities which that Divine allegiance entails.

Which "United States" Do You Live In?

The answer to the above questions goes back to the American Civil War. The war that was supposedly fought to free the slaves from bondage actually did just the opposite -- for all Americans then and in the future. By enacting the 14th Amendment (which technically is an Article, not a true amendment, but that's a topic for another discussion), a whole nation of newly freed slaves and free-born white American Inhabitants became "citizens of the United States", i.e. of a federal government corporation, at the stroke of a pen and without a shot being fired.

Because we Americans are a different breed and demand the right to personal freedom, those who had planned decades ago to enslave us (even if it took generations to do so) knew that, as long as we were armed and willing to fight to maintain our

1 freedom, the only way to accomplish this enslavement was by
2 deception.

3
4 To proceed further, we must understand that there are two
5 "United States". There is the "united States" (note the small
6 "u" in "united") which describes the ideological and
7 geographical position of the sovereign states of America. An
8 individual was the voluntary inhabitant of the state in which he
9 resided. If he did not like the laws or practices of that
10 state, he could simply move to another state. Each state was
11 sovereign to itself, and could not be forced to accept the laws
12 and practices of any other state.

13
14 The "United States of America", however, is the name of the
15 corporate entity (note the capital "U" in "United") that exists
16 to carry out the functions delegated to it by the States for the
17 protection of the Union. This corporate entity's jurisdiction
18 is supposed to be (according to the Constitution) confined to
19 the District of Columbia, the federal territories and the
20 federal enclaves. Enclaves are areas within a State's
21 boundaries which are ceded to the Federal Government by the
22 State Legislature.

23
24 Anyone can come under the direct jurisdiction of the
25 corporate United States in three ways: (1) by living in one of
26 its territories (Guam, Puerto Rico, the Virgin Islands, etc.),
27 (2) by living in the District of Columbia, or (3) simply by
28 choice. Back when America still had vast territories not-yet-
29 become states and several thousands of people lived in these
30 territories, these people had no rights protected by state
31 sovereignty. They lived under federal jurisdiction, which was
32 the reason why people living in territories were so anxious to
33 achieve statehood. The President could order federal troops
34 into any territory and enact any edicts he wanted. Once a
35 territory became a state, it had sovereignty and, from that
36 point on, the state's rights prevailed.

37
38 So, if you don't live in a territory or enclave, and you
39 don't live in the District of Columbia, then the only way you
40 could have fallen under the jurisdiction of the United States
41 Government is by choice. But neither I, nor anyone I know,
42 voluntarily or knowingly surrendered their personal sovereignty
43 to the Government, which means that it (our sovereignty) was
44 taken from us by deception.

45
46 This deception, which took place in the year 1868, is what
47 this article will explain -- how our ancestors were tricked and
48 coerced into giving up their rights (and ours!) to the
49 jurisdiction of the Federal Government.

50 51 52 Civil War Sets the Stage for Takeover

53
54 The Constitution for the United States of America specifies
55 in the opening paragraph that the Constitution was written for
56 the newly formed corporation, not for us, the People living in
57 America. Our rights come from God and are inalienable. They do

1 not come from a piece of paper. And, because the Federal
2 Government exists only on paper -- a man-created entity -- it
3 can also be dismantled anytime We the People decide it has
4 become a threat to our inalienable God-given rights of
5 sovereignty.
6

7 The Constitution is the contract between those who
8 administer the Government's affairs and the People of the United
9 States. In essence, it states that the People will give the
10 Government certain powers necessary to administer the defense of
11 the States, and control the commerce into the States from
12 foreign countries. In exchange, the State governments (not the
13 individual people -- direct taxation by the Federal Government
14 is unconstitutional) would provide the Federal Government the
15 money it needs to operate. The Federal Government had limited
16 powers; in fact, the Bill of Rights was hotly debated at the
17 time of its passage because there were several people who wisely
18 cautioned that the Bill of Rights would eventually be construed
19 as rights endowed by the Constitution, not protected by it
20 (which is exactly what has happened).
21

22 How often do you hear patriots mistakenly vow to defend
23 "their Constitutional rights"? This thinking reflects the
24 decades of public school brainwashing to which we have all been
25 subjected. We need to correct each other and understand that
26 our rights are God-given, not constitutional.
27

28 So, how does the Civil War enter into this present-day
29 power struggle between the Federal Government and Us the People?
30 Slavery was not the true underlying reason for the war. It was
31 an emotional, social issue that was used as an excuse to incite
32 people to go to war, people who did not realize that foreign
33 agencies were responsible for that conflict. International
34 bankers, seeing the slavery issue as an opportunity not only to
35 divide the country, but make millions of dollars as well, fanned
36 the flames of debate until, under cover of the most bloody war
37 in the history of the world, they were to accomplish that very
38 objective -- the complete takeover of America. They almost
39 succeeded years sooner, except for the intervention of one man
40 -- President Abraham Lincoln.
41

42 "Honest Abe" Knew the Truth 43 44

45 President Lincoln was against slavery, but he understood
46 that it was wrong to force the southern States to give up
47 slavery -- to force Federal jurisdiction over the issue of
48 States' Rights. Four of the southern States were already
49 considering the abolition of slavery, but they couldn't just
50 abandon it overnight. It would take time. After all, their
51 whole economy was built upon slavery; a sudden disruption would
52 bankrupt the South. Lincoln understood this. But, it wasn't
53 until Lincoln got into office that he began to see the whole
54 picture. He learned that the war was begun by the International
55 Bankers as a means of dividing the country in two, forcing both
56 sides to borrow heavily from the Bankers to pay war debts.
57 Then, when failing to repay those loans, the divided America

1 would be forced into bankruptcy. The Rothschilds and other
2 bankers could then simply foreclose on the corporations known as
3 the United States of America and the Confederate States of
4 America. President Lincoln knew he had to keep the nation
5 together at all costs -- including war.

6 7 8 Saved by the National Banks 9

10 Near the end of the war, the South was on its knees and the
11 U.S. Government was nearly bankrupt. Seeing their opportunity,
12 the Bankers offered to loan the U.S. Government enough to see it
13 through. Lincoln said no. He would find another way.

14
15 What he did then was to ask Congress for permission to
16 print paper money. Even though he knew it was unconstitutional
17 (only gold and silver are lawful U.S. money), it was the only
18 way he knew to buy provisions for the Army -- but only if the
19 U.S. banks would accept it. They did. When Lincoln gave his
20 word that the Government would redeem those notes for gold and
21 silver at a later time, they believed him and honored the notes.
22 By doing this, the planned takeover by the Bankers was averted
23 -- at that time.

24 25 26 The Bankers' Revenge -- Assassination 27

28 Because he had given his word to the nation's bankers;
29 because he had promised the South that, upon surrender, the
30 Government would help them rebuild; and because he had promised
31 the Southerners there would be no recriminations or punishments
32 if they again swore loyalty to the Union, Lincoln knew he had to
33 get re-elected, though he was tired, tormented by migraine
34 headaches, and worried about his suffering family life. He had
35 to make sure those promises were kept.

36
37 Lincoln's complete thwarting of the International Bankers'
38 plans doomed him to assassination at their hands. Papers found
39 in Booth's locker show communications with an agent hired by the
40 Rothschild family.

41
42 Weeks before he was killed, Lincoln knew he would die in
43 office. His spies were reporting plots to kill him; it was
44 only a matter of who got to him first. So, he met regularly
45 with his Vice President, Andrew Johnson, and educated him as
46 quickly as he could so that he could follow through on Lincoln's
47 promises. Johnson listened carefully and understood what was
48 expected of him, and why. Then, after Lincoln's murder, he did
49 exactly as he was supposed to do.

50
51 In school, when we were taught this part of American
52 history, we were told that Andrew Johnson was uneducated and
53 ignorant, and fumbled continuously in office, which was
54 supposedly why he was impeached. Johnson was of humble origin,
55 but he was an honest, self-educated man who stood firmly for
56 what he saw clearly were the best interests of his country.
57 This is what got him impeached.

Impeachment!

At this time, the only men in Congress were those representing the northern States. After Fort Sumter, all the southern States had seceded. After Lincoln's death, Congress began passing laws to punish the South, in contradiction to Lincoln's promise. Johnson began vetoing them, sometimes three and four times, until Congress began passing them over his veto. One particular bill that he vetoed, the Civil Rights Bill, was intended to make all former slaves automatic citizens of the Federal Government, and under its direct jurisdiction (and protection). This seemed like a compassionate and generous gesture to the newly freed slaves but, as Johnson pointed out, it would have serious consequences for the Negroes. In his veto message in March of 1866, Johnson pointed out the pitfalls of this bill:

He [the Negro] must, of necessity, from his previous unfortunate condition of servitude, be less informed as to the nature and character of our institutions than he who, coming from abroad, has to some extent at least, familiarized himself with the principles of a government to which he voluntarily entrusts "life, liberty, and the pursuit of happiness".

The 1st Section of the bill also contains an enumeration of the rights to be enjoyed by these classes so made citizens "in every state and territory in the United States". These rights are "to make and enforce contracts; to sue, be parties, and give evidence; to inherit, purchase, lease, sell, hold, and convey real and personal property"; and to have "full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens". So too, they are made subject to the same punishment, pains and penalties, in common with white citizens

[emphasis added]

Johnson could clearly see that to immediately place a string of governmental "rights and benefits" upon a totally naive and uneducated people as the Negroes, would also make them easy prey for every carpetbagger who would trick them into contracts, in which they would have no knowledge of the legal ramifications. This bill would, in effect, make the former slaves as slaves again to different masters: unscrupulous businessmen, attorneys and judges.

Johnson saw that this bill was also a means of foisting unconstitutional jurisdiction of the Federal Government in every state:

Thus a perfect equality of the white and colored races is attempted to be fixed by federal law in every state of the Union over the vast field of state jurisdiction covered by these enumerated rights.

1
2 If Congress can declare by law who shall hold lands,
3 who shall testify, who shall have capacity to make a
4 contract in a state, then Congress can by law also declare
5 who, without regard to color or race, shall have the right
6 to sit as a juror or as a judge, to hold any office, and
7 finally, to vote "in every state and territory of the
8 United States".
9

10 The legislation thus proposed invades the judicial
11 power of the state. It says to every state court or judge:
12 if you decide that this act is unconstitutional; if you
13 refuse, under the prohibition of a state law, to allow a
14 Negro to testify; if you hold that over such a subject
15 matter the state law is paramount ... your error of
16 judgment, however conscientious, shall abject you to fine
17 and imprisonment.
18

19 The Legislative Department of the government of the
20 United States thus takes from the Judicial Department of
21 the states the sacred and exclusive duty of judicial
22 decision and converts the state judge into a mere
23 ministerial officer, bound to decide according to the will
24 of Congress.
25

26 [emphasis added]
27

28 Johnson then continued with an additional warning as to the
29 virtually unlimited power given to appointed agents:
30

31 The Section of the bill provides that officers and
32 agents of the Freedman's Bureau shall be empowered to make
33 arrests and also that other officers may be specially
34 commissioned for that purpose by the President of the
35 United States. It also authorizes circuit courts of the
36 United States and the superior courts of the territories to
37 appoint, without limitation, commissioners, who are to be
38 charged with the performance of quasi-judicial duties.
39

40 These numerous agents are made to constitute a sort of
41 police, in addition to the military, and are authorized to
42 summon a *posse comitatus*, and even to call to their aid
43 such portion of the land and naval forces of the United
44 States or of the militia
45

46 This extraordinary power is to be conferred upon
47 agents irresponsible to the government and to the people,
48 to whose number the discretion of the commissioners is the
49 only limit and in whose hands such authority might be made
50 a terrible engine of wrong, oppression and fraud.
51

52 The 7th Section provides that a fee ... shall be paid
53 to each commissioner in every case brought before him, and
54 a fee ... to his deputy or deputies for each person he or
55 they may arrest and take before any such commissioner
56

1 All those fees are to be "paid out of the Treasury of
2 the United States" whether there is a conviction or not;
3 but in the case of conviction they are to be recoverable
4 from the defendant. It seems to me that under the
5 influence of such temptations, bad men might convert any
6 law, however beneficent, into an instrument of persecution
7 and fraud.

8
9 To me, the details of the bill seem fraught with evil.
10 It is another step, or rather stride, toward centralization
11 and the concentration of all legislative powers in the
12 national government.

13 [emphasis added]
14

15
16 It is plain to see here that President Johnson saw far into
17 the future as to the potential for legal and political abuse of
18 such arbitrary powers -- powers that had never before been
19 placed into the hands of a bureaucracy that had not been
20 subjected to referendum by the people or constitutional question
21 by any federal court. This bill (which was passed over
22 Johnson's veto) did, in fact, set the precedent for hundreds of
23 federal, state and local bureaucracies that have since choked
24 the lifeblood of millions of Americans.

25
26 Also, this bill blatantly usurped all States Rights and
27 opened a very wide door for the further usurpation of these
28 rights, using other social agendas.

29
30 The reason Andrew Johnson was impeached was because he
31 fought so hard against this bill and the subsequent 14th
32 Amendment. His enemies purposely did not mention to the press
33 (nor to the public) the legal and political ramifications of
34 this bill which Johnson had so succinctly pointed out; but
35 instead they broadcasted the notion that he was reneging on
36 Lincoln's promises to "heal the wounds" of the nation by
37 fighting full rights for the Negro -- thus making it an
38 emotional social issue.

39
40 In fact, Johnson was keeping Lincoln's promises by trying
41 to protect the rights of the newly freed slaves, as well as the
42 rights of those states which knew their own former slaves better
43 than anyone, and knew the Negroes were not yet ready for the
44 responsibilities of citizenship. As Johnson had predicted,
45 after passage of the bill, so many of the Negroes had indeed
46 been robbed of goods and property by white charlatans and/or
47 thrown into jails for breaking commercial laws they did not
48 understand that, when the Negroes did come to full awareness of
49 the massive duplicity perpetrated by these scoundrels, a racial
50 hatred and mistrust of all whites became a nationwide phenomenon
51 that has never been erased to this day.

52 53 54 The Final Axe Falls

55
56 After the bill was passed over Johnson's veto, and there
57 was no general hue and cry from the public, Congress then

1 proceeded with the next step -- the 14th Amendment. In order to
 2 understand the ramifications of this heinous act of Congress, it
 3 must be analyzed section-by-section:
 4

5
 6 ARTICLE XIV. Section 1. All persons born or naturalized
 7 in the United States, and subject to the jurisdiction
 8 thereof, are citizens of the United States and of the State
 9 wherein they reside. No State shall make or enforce any
 10 law which shall abridge the privileges or immunities of
 11 citizens of the United States; nor shall any State deprive
 12 any person of life, liberty, or property, without due
 13 process of law; nor deny to any person within its
 14 jurisdiction the equal protection of the laws.

15
 16 [emphasis added]
 17

18 In the very first line, the amendment states that all
 19 persons born (all babies from this point on) or naturalized (the
 20 newly freed slaves who were then just inhabitants of America)
 21 are now citizens of the United States (the Federal Government)
 22 and of the State (the State Government) where they lived. From
 23 the Declaration of Independence on, all people in America who
 24 lived here were Americans, residing in a particular geographical
 25 state, and free to move from state to state, or even to another
 26 country. The Federal Government, according to the Constitution,
 27 is a corporate fiction that does the bidding of the body of
 28 collective states called Congress. At this time, the state
 29 governments had similar limited jurisdiction over their
 30 inhabitants, as did the federal government. The state
 31 government's primary function was to act as a collective voice
 32 of all its inhabitants to convey their wishes to Congress.
 33 Congress controlled the federal government.
 34

35 The rule of Common Law, which was the law of the land at
 36 that time, was carried out exclusively by the County Sheriff --
 37 the Common Law concept of *Posse Comitatus*. Neither the State
 38 nor the Federal Government had any jurisdiction in the County,
 39 where Home Rule was the law. Only by permission or invitation
 40 by the Sheriff could either of the other two governments step
 41 foot in his County. The Civil Rights Bill, in one bold act,
 42 forced Federal Government jurisdiction into the sanctity of
 43 State rule. But *Posse Comitatus* still reigned in each state,
 44 and the conspirators found the way to usurp jurisdiction here
 45 through the 14th Amendment.
 46

47
 48 Citizens, Subjects = Slaves
 49

50 In order for any government to grab power and maintain it,
 51 it must have "subjects" or "citizens". According to Black's Law
 52 Dictionary (Sixth Edition), "Citizens are members of a political
 53 community who, in their associated capacity, have established or
 54 submitted themselves to the dominion of a government for the
 55 promotion of their general welfare and the protection of their
 56 individual as well as collective rights. (Herriot v. City of
 57 Seattle, 81 Wash.2d. 48, 500 P.2d. 101, 109)"

1
2 So, by declaration of the 14th Amendment, all persons born
3 from that point forward, and all naturalized people, had just
4 become citizens (i.e. subjects) of the United States Government,
5 obviously without their knowledge (babies) or understanding (the
6 Negroes). The Federal Government had just reached past the
7 jurisdictional boundaries of the state and county lines and
8 claimed all its babies and all Negroes.
9

10 In Section 2, it then states that only males 21 years of
11 age who are citizens of the United States may be allowed to vote
12 in Federal and State elections. That means that only those men
13 who willingly claimed U.S. citizenship on voter's registration
14 cards (though they didn't realize the implications) were also
15 brought in as subjects of the Federal Government. (The Federal
16 Government's power and control are growing fast!) However, it
17 stipulated that those who had participated in rebellion (the
18 South) were excluded.
19

20 The Back Door

21
22 At this point, any intelligent person can figure out that
23 the Conspirators who were using this Amendment to claim all
24 Americans as its citizens -- by deception -- were obviously
25 performing an illegal and unconstitutional act. The
26 conspirators in Congress (and every Congressman knew what was
27 being perpetrated, and either promoted it or simply pretended
28 not to notice) established a "loophole" for themselves and to
29 cover themselves in case people began to catch on. This
30 loophole was 15 Statutes at Large, Chapter 249 (Section 1),
31 enacted July 27, 1868, one day before the 14th Amendment was
32 declared "ratified". You will not see this statute published
33 anywhere except in very old books. The Conspirators do not want
34 their "citizens" to know it exists, and it has never been
35 repealed. The text follows:
36

37 CHAP. CCXLIX. -- An Act concerning the Rights 38 of American Citizens in foreign States 39

40 Whereas the right of expatriation is a natural and
41 inherent right of all people, indispensable to the
42 enjoyment of the rights of life, liberty, and the pursuit
43 of happiness; and whereas in the recognition of this
44 principle this government has freely received emigrants
45 from all nations, and invested them with the rights of
46 citizenship; and whereas it is claimed that such American
47 citizens, with their descendants, are subjects of foreign
48 states, owing allegiance to the governments thereof; and
49 whereas it is necessary to the maintenance of public peace
50 that this claim of foreign allegiance should be promptly
51 and finally disavowed: Therefore,
52

53 Be it enacted by the Senate and the House of
54 Representatives of the United States of America in Congress
55 assembled, That any declaration, instruction, opinion,
56 order, or decision of any officers of this government which
57 denies, restricts, impairs, or questions the right of

1 expatriation, is hereby declared inconsistent with the
2 fundamental principles of this government.

3
4 On the surface, this seems to guarantee that "foreigners"
5 who live in the borders of America cannot be forced to claim
6 citizenship. But, what this also says is that anyone who wishes
7 to expatriate (*i.e.* renounce their U.S. citizenship) may do so,
8 by inherent right, and no one can deny him this right.

9
10 The Conspirators knew that, the "letter of the law" having
11 been satisfied with this exemption from compelled performance
12 (having U.S. citizenship thrust upon us), they could then hide
13 the exemption from general view, start promoting the "benefits"
14 of U.S. citizenship in the media (and later, in public schools)
15 and begin setting up all of us for manipulation to obey millions
16 of codes, statutes, and laws; exacting fines for breaking these
17 laws; and extracting license fees and taxes upon penalty of
18 seizure or jail.

19
20 Free American Inhabitants are not subject to the Federal
21 Government by virtue of their not claiming U.S. citizenship.
22 Those of us who have renounced our U.S. citizenship and declared
23 our status as American Inhabitants, using 15 Statutes at Large
24 as the legal foundation for this Declaration of Status, are the
25 only ones living in the united States of America. The rest of
26 America (U.S. citizens -- about 99%) are living in a 4th
27 dimension, *i.e.* in a fictitious corporation called the United
28 States of America. As far as America is concerned (except that
29 1%), there's nobody home!

30 31 Slavery by Election

32
33 We can see that, in the 14th Amendment, those Southerners
34 who had participated in the Civil War were excluded from this
35 "benefit" (U.S. Citizenship) on purpose -- to punish them so
36 severely with sanctions, punishing fines and terrorism from the
37 newly formed Freeman's Bureau, that a few years later, the
38 Southerners would be grateful for any consideration the Federal
39 Government would extend to them. When the opportunity was ripe,
40 such a consideration was enacted -- the 15th Amendment. It
41 reads (in part):

42
43 *Section 1.* The right of citizens of the United States to
44 vote shall not be denied or abridged by the United States
45 or by any State on account of race, color, or previous
46 condition of servitude.

47
48 By this gracious gesture, Congress extended full
49 forgiveness to the South, and restored their right to vote (at
50 that time, considered to be the most sacred right of an
51 American). At the next national election after the enactment of
52 this amendment, there was the largest turnout of voters this
53 nation had ever seen. The South wanted desperately to be
54 restored to the Union and heal their wounds. When they heard
55 that, in order to vote, they had to swear allegiance to the
56 United States of America and thus become a "citizen of the
57 United States" (as required by the 14th Amendment), they did so

1 willingly and without a clue as to what they had just done to
2 themselves and to their posterity.

3
4 With the stroke of a pen, the 14th Amendment, and the
5 subsequent 15th Amendment, had just enslaved an entire nation
6 without a shot being fired.

7 8 9 The "Forgotten" Clause

10
11 Obviously, this treacherous act by Congress was enough to
12 have all of them hanged as traitors; but, there was one more
13 act of treachery that has been overlooked by most people.
14 Section 4 of the 14th Amendment reads:

15
16
17 The validity of the public debt of the United States,
18 authorized by law, including debts incurred for payment of
19 pensions and bounties for services in suppressing
20 insurrection or rebellion, shall not be questioned. But
21 neither the United States nor any State shall assume or pay
22 any debt or obligation incurred in aid of insurrection or
23 rebellion against the United States, or any claim for the
24 loss or emancipation of any slave; but all such debts,
25 obligations and claims shall be held illegal and void.

26
27 [emphasis added]

28
29 At that time, a hue and cry was raised concerning Lincoln's
30 promises to "forgive" the South's debts as part of
31 Reconstruction, with good reason. But mainly overlooked was the
32 first part of Section 4, which says that the debts incurred by
33 the U.S. government were not to be questioned, that the
34 enforcers whom the Government hired to quell insurrection
35 (today, the CIA, FBI, BATF, DEA, U.S. Marshals, etc.) would be
36 paid by the Government. And where was the Government's money to
37 come from? Answer: Its newly acquired subjects -- U.S.
38 citizens. The States had just signed into constitutional
39 amendment the permission for the Federal Government to hire
40 thugs and thieves to control us, to pay them with our own money,
41 and that no question could be brought to court about the
42 constitutionality of these actions. This is why any effort to
43 bring a suit against the Government about the Federal debt will
44 never be entertained by the Supreme Court!

45 46 47 A Dangerous Game

48
49 In Europe, Africa and other places in the world, a despot
50 simply took over a country by waging war. Here in America,
51 however, as long as Americans were armed and prepared for
52 hostile armed takeover, the Conspirators knew that a different
53 technique -- a grand deception by manipulation of the laws, the
54 courts, the schools, the media -- must be employed to obtain the
55 same results. They waged war on us long ago, but we've been too
56 naive to see it. There are many who are waking up now, but they
57 don't see the whole picture. They think that if they reverse a

1 certain portion of Government abuse, we can take our country
2 back. Tax protestors (as IRS calls them) have perfectly correct
3 reasons to point out that they are not required to file -- but
4 they forget they are still U.S. citizens (i.e. subjects). Home
5 schoolers fight bravely for their right to protect their
6 children against Government control -- but they forget they are
7 still U.S. citizens. Legal eagles have found many statutory
8 "loopholes" to win a few battles in court -- but they forget
9 they are still U.S. citizens.

10
11 Playing the "patriot game" without fully understanding the
12 constitutional hold the Federal, State and local governments
13 have over them is playing a dangerous game. They may win a few
14 skirmishes in their battles with Government (the Government
15 allows these "wins" to encourage us to continue wasting our
16 energies in useless effort), but they will never win the war,
17 and will only bring the wrath of Government down upon the head
18 of yet another one of its subjects.

19
20 For now, at least, the Government is respecting the status
21 of American Inhabitants. We (your publisher L. C. Lyon and
22 writer George Sibley) have not had any legal hassles from any
23 Government entity, because we are no longer U.S. citizens. We
24 are the same as George Washington, Thomas Jefferson, Benjamin
25 Franklin and all the other patriots were in their time -- free
26 American Inhabitants. Any U.S. citizen can give up this
27 enslaving status at any time, but it must be done properly.

28
29 If everyone in America were to take back their rights as
30 free Americans again, through the revocation process, the
31 Government would have no more subjects, and no more power!

32
33
34 IT'S TIME TO TAKE OUR COUNTRY BACK!

35
36
37
38
39 [Minor grammatical and spelling edits were done to this essay by
40 John E. Trumane. These edits were done without permission of
41 the author, because Mr. Trumane did not have the author's
42 mailing address at the time the edits were done.]

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PROOF OF SERVICE


I, Paul Andrew, Mitchell, *Sui Juris*, hereby certify, under penalty of perjury, under the laws of the United States of America, without the "United States," that I am at least 18 years of age, a Citizen of one of the United States of America, and that I personally served the following document(s):

**VERIFIED STATEMENT IN SUPPORT OF CHALLENGE
TO GRAND JURY SELECTION POLICY
AND ITS FEDERAL STATUTE:**
28 U.S.C. 1746(1), 1861, 1865; Rule 201(d),
Federal Rules of Evidence; Full Faith and Credit Clause

by placing one true and correct copy of said document(s) in first class United States Mail, with postage prepaid and properly addressed to the following:

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DISTRICT OF COLUMBIA

Executed on: November 29, 1996


Paul Andrew, Mitchell, *Sui Juris*
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Counselor at Law, and Counsel of Record in Fact
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